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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
FRED LOCKLARY,

08 CIV. 0079

Plaintiff,

RULE 1.9 STATEMENT

-against-

Hon. William C. Conner

TOWN OF NEW WINDSOR, MICHAEL C.
BIASOTTI, Chief of Police of the Town of New
Windsor Police Department, POLICE OFFICER
STEPHEN L. BEREAN (Shield #132) and POLICE
OFFICER JOHN A. MARTIN (Shield #124),


Defendants.

Pursuant to Rule 1.9 of the General Rules of the Southern District of New York and to enable Judges and Magistrates of the Court to evaluate possible disqualification's or recusal, the undersigned attorney of record for the defendants certifies that the following are corporate parents, subsidiaries or affiliates of the party.

The Town of New Windsor sued herein as the Town of New Windsor is a municipality.

Dated: White Plains, New York
January 25, 2008

Yours, etc.,



Robert C. McMahon (RM1533)

Barry, McTiernan & Moore

Attorneys for Defendants

TOWN OF NEW WINDSOR, MICHAEL C.
BIASOTTI, Chief of Police of the Town of
New Windsor Police Department, POLICE
OFFICER STEPHEN L. BEREAN (Shield
#132) and POLICE OFFICER JOHN A.
MARTIN (Shield #124)

55 Church Street

White Plains, NY 10601

(914) 946-1030

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To:

Michael R. Scolnick, P.C.
Attorneys for Plaintiff
FRED LOCKLARY
175 Burrows Lane
Blauvelt, NY 10913
(845) 354-9339

AFFIDAVIT OF SERVICE

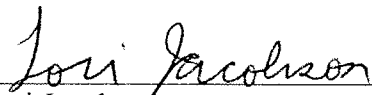
STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

LORI JACOBSON, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside in Yonkers, New York.

That on January 29, 2008, a true copy of the annexed **Rule 1.9 Statement** was served in the following manner:

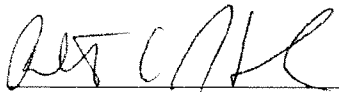
By mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

Michael R. Scolnick, P.C.
Attorneys for Plaintiff
FRED LOCKLARY
175 Burrows Lane
Blauvelt, NY 10913
(845) 354-9339



Lori Jacobson

Sworn to before me this
29th day of January, 2008



Robert C. McMahon
Notary Public, State of New York
No. 4723783
Qualified in Westchester County
Commission Expires: February 3, 2011